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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Fourth periodic report of States parties due in 1999

Addendum

Slovenia*

[2 March 2000]

* This document contains the initial, second, third and fourth periodic reports of Slovenia submitted in one document due on 6 July 1993, 6 July 1995, 6 July 1997 and 6 July 1999 respectively.

The annexes to the report submitted by the Government of Slovenia may be consulted in the Secretariat's file.

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I. INTRODUCTION

1. The present report has been drawn up in accordance with the guidelines for reporting on the six major international human rights instruments, and is based on the replies to a special questionnaire on the implementation of the International Convention, which was sent to the competent offices and ministries of the Republic of Slovenia. It includes information provided by the Government Office of the Republic of Slovenia for Nationalities on 21 January 1999, Ministry of Culture on 26 January 1999, Government's Office for Religious Communities on 27 January 1999, the Ministry of the Interior on 10 February 1999, the Office of the Government of the Republic of Slovenia for Immigration and Refugees on 29 March 1999, the Ministry of Education and Sport on 28 April 1999, data published by the Statistical Office of the Republic of Slovenia and the results of published research, scientific research and other sources.

2. The draft report was circulated to individual experts and competent offices and ministries in January 2000. Observations and suggestions concerning additions to the text were taken into account wherever appropriate.

Basic iformation

3. Slovenia is a parliamentary democratic republic, a State governed by the rule of law and a social State, which proclaimed its independence and sovereignty pursuant to the Constitution on 25 June 1991, and gained international recognition.[1]

4. Slovenia is one of the smaller countries in Europe: its area is 20,273 square kilometres, and it has approximately 2 million inhabitants (1,986,989 on 31 December 1996). It belongs to Central Europe and the Mediterranean, and is situated at the strategically important junction between Western Europe and the Balkans. For this reason, it has throughout history been a political, economic, cultural and traffic transit area. Slovenia is in terms of economic development, in the middle range; in 1998 the per capita gross domestic product amounted to US$ 10,000.[2]

5. The population structure of Slovenia is relatively homogenous, although the proportion of the non-Slovene population is gradually increasing.[3] The non-Slovene population can be divided into several groups: members of the autochthonous Italian and Hungarian national communities, living in a small yet compact area along the Italian and Hungarian borders respectively; members of Roma community, who represent a special group of the population due to their specific way of life; small remainders of autochthonous minority groups (Jews, Germans); and the biggest group, consisting of populations from the former Yugoslav republics (Croats, Serbs, Muslims, Macedonians, Montenegrins), who inhabited Slovenia particularly after World War II. Most of them acquired Slovene citizenship following the independence of Slovenia.

6. Under the Constitution, all inhabitants of Slovenia are guaranteed the right to preserve their national identity, to foster their culture and to use their own language and script (art. 61). Members of all the communities are organized in associations, which are engaged in cultural and information activities and their programmes are financed from the State budget on the basis of a call for applications, published yearly by the Ministry of Culture.[4] Upon gaining independence,

Slovenia committed itself under the Basic Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia to guaranteeing the protection of human rights and fundamental freedoms to all persons in the territory of Slovenia regardless of their affiliation, without any discrimination, in accordance with the Constitution and international agreements in force.[5]

7. Slovene minorities live in all four neighbouring countries - Austria, Croatia, Italy and Hungary, and minorities from the neighbouring countries live in Slovenia. The official language of Slovenia is Slovene; in bilingual areas, i.e. the Primorsko region, where the autochthonous Italian minority resides, the official languages are Slovene and Italian; and in the Prekmurje region, where the autochthonous Hungarian minority resides, the official languages are Slovene and Hungarian.

Administration of the State

8. Power is divided into the legislative, the executive and the judicial.

9. The supreme authority is the National Assembly (Parliament) with 90 Deputies from the 7 parties represented in the Parliament, and 1 Deputy each from the autochthonous Hungarian and Italian minorities respectively. The National Council, with 40 councillors, represents social, economic, trade and professional, and local interests.

10. The State is represented by the President of the Republic, who is at the same time the Commander-in-Chief of the Defence Forces of Slovenia. Power is thus exercised by the Parliament, the Government and the President of the Republic.

11. Pursuant to the Constitution, the judiciary is completely independent, separated from the executive and legislative powers, bound only by the Constitution and the law. The office of a judge is permanent. Judges are elected by the National Assembly upon the recommendation of the professional and independent Judicial Council. The majority of the members of the Judicial Council are elected by the judges from among themselves, and some members are elected by the National Assembly on the nomination of the President of the Republic from among professors of law, practising lawyers and other established lawyers. Jurisdiction of the courts is determined by the law. Extraordinary courts cannot be established in Slovenia, and military tribunals cannot be established in peacetime either. Regular courts are courts of general competence and specialized courts.

12. The Constitutional Court is the supreme judicial body in the State. It is within the competence of the Constitutional Court to decide on the compliance of legislation with the Constitution and ratified treaties, on constitutional complaints concerning violations of human rights and fundamental freedoms by individual acts of national bodies, on accusations against the highest representatives of the authority (the President of the Republic, the Prime Minister and the individual ministers) and on other matters.

Constitutional protection of human rights

13 The largest part of the Constitution is devoted to guarantees of human rights and fundamental freedoms. Therefore, the content of the European Convention on the Protection of Human Rights and Fundamental Freedoms is in its entirety integrated into the Constitution. Within the framework of succession to international agreements, Slovenia has succeeded to, or ratified, most of the Conventions in this field, and can consequently rank among the most advanced States in this respect. It is permissible, in exceptional cases, to temporarily revoke or restrict the human rights and fundamental freedoms, guaranteed by the Constitution, but only in exceptional circumstances of war or a state of emergency. However they may be revoked or restricted only for the duration of the war or during a state of emergency, only to the extent required by the same, and inasmuch as the revocation or restriction does not create inequality of treatment based on race, national origin, sex, language, religion, political or other beliefs, financial status, birth, education, social status or any other personal circumstance. At no time and under no condition is temporary restriction or revocation of the following fundamental constitutionally guaranteed rights or stipulated obligations permissible: (a) inviolability of human life, (b) prohibition against torture, (c) protection of human personality and dignity, (d) presumption of innocence, (e) principle of legality in the criminal law, (f) legal guarantees in criminal proceedings and (g) freedom of conscience (art. 16 of the Constitution).

14 Basic provisions, prohibiting discrimination on any basis are contained in articles 14 to 65 of the Constitution. The first constitutionally guaranteed right is equality before the law (art. 14). Everyone in Slovenia is guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other beliefs, financial status, birth, education, social status or any other personal circumstance. This applies both to citizens and to foreigners. All laws and bylaws or any other acts by national bodies not consistent with this constitutional provision, may be disputed by an appeal to the Constitutional Court. In addition, concrete judicial protection is also guaranteed in the event of any violation of human rights and fundamental freedoms, including any form of discrimination.

15 Freedom of expression of thought, freedom of speech, and freedom to associate in public, together with freedom of the press and of other forms of public communication and expression are guaranteed (art. 39 of the Constitution). The profession of the religious and other beliefs of any person in private and in public is free. State and religious groups are separate according to the Constitution. Religious groups enjoy equal rights and are guaranteed freedom of activity (art. 7 of the Constitution). Mutual relations are regulated by the Constitution and by law. The majority of citizens are religious. The dominant religion is Roman Catholic, followed by the Orthodox, Islamic and Protestant religions. The State does not collect data on members of various religions since the Constitution (art. 41) stipulates that no person is compelled to admit their religious or other beliefs. The State, as a rule, does not finance the activities of religious communities.

Manner of exercising and monitoring constitutional guarantees

16 In order to control the protection of human rights and fundamental freedoms, a special institution of ombudsman has been established. The Constitution and a special law stipulate his competence and functioning. The Ombudsman monitors all relations in the field of human rights

protection in the State between the citizens on the one hand and national bodies, local self-government bodies and statutory authorities on the other. The Constitution guarantees the right to eliminate the consequences of the violation of human rights and fundamental freedoms (art. 15).

17. The constitutional principle of equality is also guaranteed in the legislation, stipulating precisely the manner of exercising individual human rights and fundamental freedoms in individual fields: political, economic, social, cultural and other. The important principle here is that laws and other regulations must be consistent with the Constitution and also with the generally applicable principles of international law and with international agreements binding on Slovenia (arts. 8 and 153 of the Constitution - conformity of legal acts). The constitutional principle of equality before the law is consistent with the standards of international law stemming from the International Covenant on Civil and Political Rights and the European Convention on Human Rights and Fundamental Freedoms and other sources of international law. Violation of the right of equality before the law (art. 14 of the Constitution) is sanctioned in the Penal Code of the Republic of Slovenia as a special criminal offence of violating equality (art. 60 of the Penal Code). International law standards have been systematically integrated into Slovene internal legislation. In case of doubt, the provisions of a ratified and promulgated international agreement prevail above the national law, since they take immediate effect and are directly applicable as a source of law (art. 8 of the Constitution).

18. In order to raise public awareness of the existence of individual rights and fundamental freedoms, the Government, in cooperation with and supported by non-governmental organizations and the media, has drawn up and drafted suitable programmes. Their purpose is to educate and inform the public about the international instruments and individual mechanisms designed to eliminate violations and their consequences.

II. IMPLEMENTATION OF THE CONVENTION

A. General information relating to articles 1 to 7 of the Convention

19. According to the interpretation of the provisions of the Convention, which is given in the instructions, the report should include national and governmental measures relating to the status of members of ethnic, racial, religious and linguistic minorities and groups (including migrants, refugees and foreigners), both in the legislative field and in promoting activities of governmental and non-governmental organizations.

20. Since this is the first report by Slovenia, certain chapters, in particular the introductory part and general information, contain extensive information. Key legislation is listed in the Annex.

21. The contents of replies given under different articles are intertwined. The report, therefore, seeks to provide all answers substantively relating to an individual question in one part, with cross-references to other parts of the text.

22. The introductory part provides a comprehensive description at three levels:

(a) Historical outline and basis of the constitutional and legal system;

(b) Specific features of regulating the status of individual ethnic, racial, religious, or linguistic groups;

(c) Ethnic structure and basic demographic data.

23. The demographic indicators and data of the 1991 census have been supplemented with information provided by the Office for Immigration and Refugees and other available recent information. Charts and graphs are included in the annexes, and the explanations are included in the text of the report.

24. The report also outlines the institutional possibilities, approaches and mechanisms for resolving concrete problems and conflicts, and lists the corresponding agents within the State infrastructure and the prime non-governmental organizations and institutions.

25. Most important and interesting is the review of the activities in this field, including projects and programmes adopted at the governmental and at non-governmental levels aimed at eliminating prejudice and achieving equality of the members of all individual ethnic, racial, religious, or linguistic groups.

B. Historical outline and basis of the constitutional and legal system

26. For a country such as Slovenia, it is of the utmost importance to ensure settlement of the issue of inter-ethnic, intercultural, interlingustic, religious and race relations. Slovenia is situated at the junction of the key cultural, religious and ethnic flows in Europe. Owing to this specific geopolitical situation and to historical circumstances, there are members of the Slovene minority living in the neighbouring countries, and members of ethnic communities from neighbouring countries and members of other national, ethnic, linguistic, religious and racial groups living in Slovenia.

27. The following elements are intertwined in the approach to the regulation of this issue:

(a) The connection between the implementation of human rights and ensuring legal security and equality, elimination of discrimination and the level of coexistence with and tolerance for members of various ethnic, linguistic, religious, and racial groups living in Slovenia;

(b) Elements of historical and permanent cultural links with Slovene ethnic communities abroad;

(c) Awareness of the significance of the implementation of democratic principles guaranteeing equality to the autochthonous national minorities and communities living in the country.

28 In the process of self-determination, this approach was reflected in all acts and declarations adopted by Slovenia at the time of its independence. The Basic Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia of 25 June 1991 thus states that:

(a) Slovenia "assumes all rights and obligations which, by the Constitution of the Republic of Slovenia and by the Constitution of the Socialist Federal Republic of Yugoslavia, had been transferred to federal authorities of the Socialist Federal Republic of Yugoslavia" (chap. I);

(b) "The borders of the Republic of Slovenia with the Republic of Austria, the Republic of Italy and the Republic of Hungary, are those internationally recognized borders of those countries and of the former Yugoslav Federation and the border between the Republic of Slovenia and the Republic of Croatia is that which existed between those two Republics within the Socialist Federal Republic of Yugoslavia as previously constituted" (chap. II);

(c) "In accordance with the Constitution of the Republic of Slovenia and with international agreements binding upon it ..., the Republic of Slovenia guarantees the protection of the human rights and fundamental freedoms of all persons within the territory of the Republic of Slovenia, irrespective of nationality and without any discrimination whatsoever";

(d) "Italian and Hungarian ethnic communities and persons thereof living in the Republic of Slovenia are guaranteed all rights under the Constitution of the Republic of Slovenia and all rights recognized by international agreements binding on the Republic".

By this document and by the Declaration on the Independence of the Republic of Slovenia, the new State has committed itself to respect for human rights and fundamental freedoms, respect for the principle of the inviolability of borders, the principles of international law and the international agreements in force, and:

(a) Declares its sovereignty and independence, as a subject of international law in the proper sense of the word, and in compliance with the principles of the integration of sovereign States in Europe, establishes ties with other States, wishes to become a Member of the United Nations and to integrate in the processes of the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe, in the European Union and other associations of States;

(b) Respects the principles of international law and, in accordance with legal succession, the provisions of international agreements concluded by the Socialist Federal Republic of Yugoslavia and relating to the territory of Slovenia.

By adopting the "Act on the confirmation of succession with respect to conventions, statutes and other international agreements constituting the act on setting up international organizations", the Assembly of the Republic of Slovenia established legal succession to international agreements, to which the former Socialist Federal Republic of Yugoslavia was a party. These instruments also include the International Convention on the Elimination of All Forms of Racial Discrimination.

29. All these binding provisions, formally adopted in the process of gaining independence and the establishment of the new State, ensure legal security and provide the legal foundations for settling inter-ethnic relations. At the international level, these provisions reflect respect for the principles of modern international integration, which is based on respect for human rights. Since gaining membership of the United Nations, the Council of Europe, OSCE and other international organizations, the new State has assumed the fundamental positions included in the charters of these organizations, principles on which the peaceful solution of potential disputes is based, and fundamental principles of modern international relations, including instruments and procedures relating to early warning and conflict prevention.

C. Specific features of the regulation of the status of individual national or ethnic, racial, religious, and linguistic groups

30. The legal basis for the implementation of Slovenia's national policy in the field of the regulation of the status of national or ethnic, racial, religious and linguistic groups and of the elimination of racial discrimination consists of:

(a) The basic instruments of independence (see above);

(b) The provisions of the Constitution of the Republic of Slovenia (see annexes);

(c) The provisions of ratified international instruments and recommendations of individual international organizations and institutions;

(d) National legislation in individual fields (see annexes).

31. The goals of the national policy in these fields are respect for human rights, equality, coexistence and the creation of the conditions for cultural pluralism. The Constitution of the Republic of Slovenia stipulates that the State shall assist the preservation of the natural and cultural heritage and create opportunities for harmonious development of civilized society and cultural life in Slovenia (art. 5).

32. It is important that, in accordance with the modern understanding of the rights of individuals, the fundamental human rights are guaranteed to everybody. Provisions concerning human rights, equality before the law and non-discrimination are part of the legal order and thus binding in the legislative procedure and in the implementation of the law. The Constitution, and laws and other legal acts based thereon guarantee special rights for the protection of individual vulnerable groups, such as children, women, and the youth. Measures of "positive discrimination" are carried out with regard to these groups in order to achieve actual equality.

33. The special rights of the autochthonous Italian and Hungarian ethnic communities, and of the Roma ethnic community are stipulated in particular detail. The "Review of the provisions concerning special rights of the Italian and Hungarian ethnic communities in Slovenia", drawn up by the Government Office of the Republic of Slovenia for Nationalities (see annexes), indicates that over 30 laws and provisions for their implementation relate to this area. These provisions and the measures based thereon belong within the framework of special measures provided for in article 1, paragraph 4, of the Convention.

34. The protection of special rights of the Italian and Hungarian ethnic communities, and of the Roma, in Slovenia is based on the territorial principle and the autochthonous settlement of the Italian, Hungarian, and Roma communities in certain areas in Slovenia. The level of these special rights is defined by the Constitution, which stipulates that the State shall uphold and guarantee the special rights of the autochthonous Italian and Hungarian ethnic communities (art. 5), and that the status and special rights of the Roma living in Slovenia are determined by a special statute (art. 65).

35. This constitutional norm (art. 65) is implemented by numerous laws, regulating various fields of social life. These laws are aimed at facilitating, through law and other measures, the integration of the Roma into Slovene society and at enabling them to preserve their language and culture. The Local Government Act, therefore, provides that the Roma have their representative in the municipal council in the areas in which they traditionally live. This provision is made operational by the Local Elections Act and by the Voting Right Register Act. The Organization and Financing of Education and Training Act (Official Gazette of the Republic of Slovenia 12/96), the Kindergarten Act (Official Gazette 12/96), and the Elementary School Act (Official Gazette 12/96) provide for special conditions for members of the Roma community and for special concern for their education and integration into society.

36. In 1995, the Government adopted a programme of measures to assist the Roma, which defines the duties of national authorities in regulating the Roma issue. The programme is dealt with in detail in the relevant parts of the report.

37. The majority of issues outstanding following the independence of Slovenia relate to the regulation of the status and rights of foreigners, both citizens of European Union member States, with respect to whom the issues refer to the right to purchase and own immovable property, and the "new" foreigners who immigrated from the republics and provinces of the former Socialist Federal Republic of Yugoslavia.

38. The regulation of the status of "new" foreigners was a demanding task, since it covered all areas of social life as well as intimate areas of their own identity perception, by both the minority and the majority population. For this reason, the level of the guarantees of individual rights ensured by the legal order to each individual did not suffice for comprehensive regulation of their status. Their social status and the creation of possibilities of their integration are regulated by relevant laws (i.e. the Education Act), and all problems of immigration are dealt with by the Resolution on Immigration Policy of the Republic of Slovenia.

39. In May 1998, the Government of Slovenia adopted the Draft Resolution on Immigration Policy, which was then passed by the National Assembly in 1999. The Resolution also includes integration policy as one of the objectives of immigration policy. The objectives of integration policy comprise guidelines formulating national policy in various fields of social life, and concrete activities of the State and local communities. At the legislative level, the legal status of immigrants has been regulated by the adoption of the Law on the Status of the Citizens of the Other Republics and Provinces Successors to the Former Socialist Federal Republic of Yugoslavia, passed in July 1999.

40. The Citizenship Act, adopted at the time of Slovenia's independence, regulated the citizenship issue of the inhabitants of the Republic of Slovenia by stipulating that all persons who had already held citizenship of the Republic of Slovenia and the Socialist Federal Republic of Yugoslavia were considered to be citizens of the Republic of Slovenia (art. 39, Citizenship Act). Article 40 of the Citizenship Act provided that inhabitants with citizenship of the other former republics of the Socialist Federal Republic of Yugoslavia who had registered permanent residence in the Republic of Slovenia and were actually living[6] in Slovenia could acquire Slovene citizenship if they filed an application within six months.[7] This possibility applied to both adults and minors. Approximately 171,000 persons acquired citizenship in this way.[8]

41. In 1995, representatives of certain nationalistically oriented parties in Slovenia filed a petition for holding a referendum on the revision of the Citizenship Act and the deprivation of citizenship acquired on the basis of article 40. On 30 October 1995, the National Assembly filed a request for a constitutional court review of the content of the petition for referendum. The National Assembly believed that "the content of the petition is contrary to the Constitution since it violates the fundamental principles and human rights and fundamental freedoms". The National Assembly proposed that the Constitutional Court should declare the petition to be contrary to the Constitution "in order to prevent the possibility of the occurrence of negative social consequences and to prevent the potential unconstitutional encouraging of inequality and intolerance".

42. The Constitutional Court decided on 20 November 1995 (Official Gazette 69/1995), that the petition for referendum, which read: "Do you agree that the National Assembly adopts the act concerning the deprivation of citizenship of the Republic of Slovenia acquired on the basis of article 40 of the Citizenship Act?" was not in accordance with the Constitution of the Republic of Slovenia. The Constitutional Court thus confirmed the importance of legal security and the respect for the acquired rights of all inhabitants of Slovenia.

43. These documents and legal acts constitute the framework and institutional basis for the implementation of national policy in the field of regulating inter-ethnic, intercultural, interlingual, religious and race relations in individual areas and will as a whole continue to have an important place in the vision of the democratic development of the protection of human rights in Slovenia.

44. By ensuring the current level of the respect for rights and for special features, and of regulating the status of individual ethnic, racial, religious or linguistic groups and in particular national minorities at the national and international levels, and by participating in the preparation of the normative mechanisms of international law, Slovenia has significantly contributed to setting the so-called "European standard" in the domain of the protection of national minorities and other groups.

45. Upon the admission of Slovenia to the Council of Europe, the Rapporteur of the Committee on Legal Affairs and Human Rights inter alia stated in his opinion (AS/Jur (44)55, 22 March 1993):

> "My impression is that Slovenia scores high in all respects. It has a modern legislation on civil and penal law - and in many other fields - and modern institutions, some of

which do not (yet) exist in all Council of Europe member States (Constitutional Court, ombudsmen and special representatives of minorities in elected bodies). [...] Under these circumstances, it must be said that both communities (i.e. the Italian and Hungarian ethnic communities) are rather privileged. They are, grosso modo, satisfied with their situation. Of course, improvements may always be made. [...] Slovenia, in our opinion, fully respects the rule of law and fundamental rights and freedoms. The way it protects the rights of minorities is a model and an example for many other European States both East and West." [9]

D. Ethnic structure and basic demographic data

46. According to the census of 1991, Slovenia has a population of about 2 million (the total number is 1,965,986).[10] It is relatively ethnically homogenous, and the data of the 1991 census show that over 87 per cent of the population (1,727,018) have declared themselves Slovenes. The percentage of the population who declared themselves to be Slovenes was as high as 96.52 per cent at the census of 1953, and has decreased with the growth of population at every further census.

47. This is because people then expressed their feelings of being threatened, in particular in relation to the groups of "non-Slovenes" whose number was increasing at the time. In this segment, this ratio of autochthonous and immigrant population is comparable to the ratio in countries of Western Europe.

48. Other groups (national, ethnic, religious, linguistic, racial in the sense of the Convention) include: (a) members of autochthonous ethnic communities (Italian and Hungarian ethnic communities), (b) members of the Roma community, (c) members of other religious, cultural or linguistic communities, (d) immigrants from other States of the former Yugoslavia, (e) among them, the special group of those who have not yet acquired Slovene citizenship, but have a permanent or temporary residence permit in Slovenia, (f) refugees and (g) foreigners.

49. The manner of collecting, using and publishing data on nationality, ethnic origin, religion and language is regulated by the Personal Data Protection Act (Official Gazette 59/1999). Database administrators authorized by law to collect data may collect personal data referring to racial and other origins, political, religious and other beliefs, trade union membership or sexual orientation only on the basis of written consent from the individual concerned (art. 3). Processing of such data must be specially labelled and secured (art. 4).

50. On the territory of Slovenia, any individual is guaranteed personal data protection regardless of citizenship and place of residence (art. 6). This does not refer to the use of such data for statistical and scientific research purposes in a form which does not allow the individual concerned to be identified. In such cases the database, the type of personal data and the manner of collecting them must be determined (art. 8, para. 3).

51. The transfer of data outside the country is regulated in greater detail. The Act stipulates that the database administrator may transfer personal data outside the country and transmit them to foreign data users if the country to which they shall be transferred, has the regulated protection of personal data, referring also to foreign citizens. The corresponding certificate is issued by the

Ministry of Foreign Affairs of Slovenia (art. 24/1). The transfer of personal data to foreign data users is admissible on the basis of international treaties, conventions and agreements including those on scientific, cultural and similar forms of cooperation (art. 24/2).

52. Provisions on the personal data collection and protection relating to racial or other origin are also included in individual regulations on the operation of administrative and State bodies. The Catalogue of Personal Data Collections (Official Gazette 27/1993) of the Ministry of Education thus stipulates that educational institutions collect data on the nationality and citizenship of parents.

53. The Act Amending the Act on Enforcement of Penal Sentences (Official Gazette 12/1992) includes a new article (44) regulating the field of data collection on convicted persons and personal data protection. Data referring to the identity of convicted persons comprise: name and surname, personal identification number, date and place of birth, data on nationality and citizenship (art. 44 (c)). Data on nationality can be collected only with the consent of the convicted person to whom the data relate.

III. IMPLEMENTATION OF THE CONVENTION: ARTICLES 2 TO 7

Article 2

A. Relevant provisions of international law

54. Slovenia is a party to all important binding international human rights instruments covering, inter alia, respect for the rights of individuals belonging to ethnic, religious and linguistic minorities (International Covenant on Civil and Political Rights, art. 27), respect for the principle of non-discrimination, including "association with a national minority" (European Convention for the Protection of Human Rights and Fundamental Freedoms, art. 14), measures for the elimination of all forms of racial discrimination (Convention on the Elimination of All Forms of Racial Discrimination and other instruments of international law).

55. By acceding to international conventions, particularly to the International Covenant on Civil and Political Rights and its First Optional Protocol, and to the European Convention for the Protection of Human Rights and Fundamental Freedoms, Slovenia adopted the system of international monitoring over the fulfilment of obligations which include the possibility of a petition on the part of an individual.

56. In accordance with Slovenia's constitutional provisions, the ratified international instruments constitute a part of internal law. The 1991 Constitution provides that statutes and other legislative measures shall comply with generally accepted principles of international law and shall accord with international agreements binding on Slovenia (art. 8). The ratified and proclaimed international agreements take immediate effect. The provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, taken as a whole, therefore form part of the internal legal system and are binding on the State and its population.

57. As a member of the United Nations, the Council of Europe and OSCE, Slovenia strives for the consistent respect for and implementation of the provisions relating to the protection of

human rights and rights of national and ethnic groups. Slovenia has already signed and ratified the Framework Convention of the Council of Europe for the Protection of National Minorities, which includes the principles of the international community in relation to the protection of national minorities as a part of the entire issue of human rights protection under international law, and has also signed the European Charter for Regional and Minority Languages. In 1999, Slovenia ratified the European Convention on Transfrontier Television, which also prohibits the broadcasting of programmes that incite racial hatred.

58. At the regional level, Slovenia is active within the framework of the Alps-Adriatic working group and the Central European Initiative (CEI), in which it strives for constructive cooperation between countries in the field of human rights and protection of ethnic minorities, as well as for active cooperation among the representatives of minorities.

B. Relevant bilateral agreements

59. A specific trait of regulating the status of individual ethnic communities in Slovenia is bilateral cooperation with neighbouring countries to the benefit of the minority. Both Slovenia and Croatia co-finance the activities of joint institutions of the Italian ethnic community, with their seat in Croatia. They strive, however, also to meet the needs of Italians in Slovenia.[11] Slovenia contributes around 20 per cent of the necessary resources for the functioning of joint institutions of the Italian minority (the "Edit" publishing house in Rijeka, which publishes newspapers in the Italian language; the Italian "Drama" theatre in Rijeka; the Centre for Historical Research in Rovinj), with the remaining funds secured by Croatia. Supplementary funds are secured from the country of origin.

60. The co-financing of joint institutions of the Italian ethnic community which have their seat in Croatia but strive to meet the needs of Italians in Slovenia is an example of the already established cross-border cooperation between the two countries to the benefit of the minority living in both countries, leading to consolidation of trust. On the basis of the Protocol between the ministries of education of the two countries, members of the Italian minority living in the Slovene and Croatian parts of Istria are entitled to unrestricted education in Italian medium schools in Croatia and Slovenia.

61. The Osimo Agreement[12] is of importance for the position of the Italian minority population in Slovenia and in Croatia. Paragraph 4 of the preamble provides that the States: "reaffirm their commitment to the principle of the highest possible level of protection of citizens - members of minorities, stemming from their constitutions and their internal legislation ..." and express their belief "that the agreement will contribute to the strengthening of peace and security in Europe".[13] Article 8 of the Osimo Agreement provides that each State declares that "the internal measures already adopted in the implementation of the Special Statute shall remain in effect and that within the framework of their respective internal law shall guarantee equal level of protection to the members of respective minorities as provided for by the Special Statute, which has ceased to apply".

62. The status of both autochthonous national minorities - the Hungarian minority in Slovenia and the Slovene minority in Hungary - is regulated by a special bilateral agreement "on guaranteeing special rights of the Slovene minority living in Hungary and the Hungarian

minority living in Slovenia".[14] In the preamble, the Agreement refers to existing international United Nations, Council of Europe and OSCE instruments. Both countries undertake therein to guarantee the possibilities for the preservation, development and profession of the national identity of both minorities in the fields of education, culture, media, publishing or research work and in the economic and other domains.

63. The Agreement provides for the establishment of an intergovernmental commission on minorities to monitor the implementation of the agreement, which met for the first time in 1995 and has held annual meetings since then. The two countries guaranteed the participation of minorities' representatives in this commission. Both minorities participate as equal partners in monitoring the implementation of the agreement.

64. Bilateral cooperation extends also to the status of the Roma. The regular consultations on employment of the Roma are held at both the bilateral and the regional levels. In 1997, joint Slovene-Austrian consultations[15] on the position of the Roma in Slovenia and Austria were held with the participation of governmental representatives and the Roma from both countries. On the presentation of the proceedings of the consultations, published in the Slovene and German languages, a round table at the central cultural centre in Ljubljana was organized on the occasion of the Romany World Congress (8 and 9 April 1999), which was held within the framework of the Council of Europe projects aimed at fostering inter-state bilateral cooperation. Activities directed at the elimination of prejudice and providing psycho-social aid to the Roma, were presented at the round table.

C. Legislation governing minorities

65. Protection of the rights of members of national, ethnic, minority language, religious and racial groups resident in Slovenia is guaranteed by the legislation of Slovenia at two levels:

(a) Protection of individual rights of individuals members of all minority communities;

(b) Guaranteeing special rights of minority communities.

Both levels of protection are complementary and comply with the obligations assumed by Slovenia under international law. The protection of human rights of every individual is based on the principles of respect for human rights, non-discrimination, equality before the law, guaranteed judicial protection of human rights and other principles which nowadays provide the basis for the legal order of democratic countries.

66. In drafting new legal and other acts, the level of acquired rights of minorities already attained is taken into consideration as well as the constitutional basis for the protection of individual human rights. The legal protection of human rights and special rights of minorities is thus embedded in the integral legal order, from the Constitution to the statutes of municipalities.

67. The purpose of documents regulating the status of autochthonous national minorities in Slovenia, the status of ethnic groups and individual citizens of different nationalities, language and religion, is to guarantee coexistence and mutual awareness of and respect for various entities. These legal foundations represent the possibility of maintaining and preserving culture, language and national identity, both for the group as well as for individuals.

68. The comprehensive article 64 of the Constitution regulates the implementation of the special rights of national minorities. The concept of the implementation of the special rights applies to nationally mixed areas. Outside these areas, provisions concerning the special rights of national minorities are implemented only exceptionally, when the law so stipulates. Nationally mixed areas are defined by the statutes of the following municipalities: Dobrovnik, Hodoš, Moravske toplice, Šalovci, Izola, Koper, Piran.

69. Special rights are implemented in the fields of education and training, culture, contacts with the nation of origin, use of national symbols, mass media and publishing, representation and joint decision-making as well as the establishment of organizations of their own. The State gives financial and moral support for the exercise of these rights.

70. Legal acts comply with the concept of the nationally mixed area, in which the Italian or Hungarian languages are equal to the Slovene. Nationally mixed areas are determined in the statutes of the municipalities of Lendava, Murska Sobota (for the area inhabited by the Hungarian ethnic community), Koper, Izola and Piran (for the area inhabited by the Italian ethnic community). Provisions on the equal use of the languages of both national minorities in nationally mixed areas are included in laws and rules governing the functioning of the administration, state and judicial authorities (courts, public prosecutors' offices, practising lawyers and notary offices) as well as in provisions on external bilingual status.

71. In addition to legal provisions, the system of education is a major contribution to coexistence in nationally mixed areas, which provides that members of the majority nation learn the language of the minority. The education mode differs with respect to the two ethnic communities (for more information, see comments under article 7 of the Convention).

72. In November 1995, the Government of Slovenia adopted the Programme of Measures for providing aid to the Roma in Slovenia, which are consistently carried out. In accordance with this programme and in cooperation with the municipalities, the Ministry of Education has enabled Roma children to be included in educational programmes in kindergartens for at least two years prior to enrolment in the elementary school, and secures additional funds for schools attended by Roma children for educational activities that promote their socialization.

73. Municipalities play an important role in the exercise of special rights. According to the Local Government Act (Official Gazette 72/93), municipalities in the areas inhabited by members of the Hungarian and Italian ethnic communities are designed so as to guarantee the exercise of special rights of the ethnic communities. Ethnic communities in these areas have at least one representative on the municipal council. Equal provision for a representative on the municipal council applies to areas inhabited by the autochthonous Roma community.

74. The entire electoral legislation in Slovenia guarantees to members of the Italian and Hungarian minorities representation at all levels of decision-making, from municipal councils to the National Assembly of the Republic. Decisions and laws relating only to special rights of the two minorities cannot be adopted without the prior consent of representatives of the minorities.

75. In order to realize their interests and to achieve organized cooperation in public affairs, the two national minorities are establishing special self-governing ethnic communities, at the municipal and the Republic levels (Self-governing Ethnic Communities Act, Official Gazette 65/94). Self-governing ethnic communities also (co)establish organizations and public institutions and encourage contacts with the nation of origin. They can also perform tasks within the competence of the State.

76. In order to preserve the cultural identity of minorities and to provide information about current developments, the entire area of information in the language of national minorities is of particular importance. Legislation governing this field takes into account the specific needs of minority communities and stipulates two components of minority participation in the radio and television system: participation in the management (Council of RTV Slovenia, programme councils for minority programmes), and programme autonomy of both ethnic communities (directors of minority programmes, editors, etc).

77. The Radio and Television Act of Slovenia (Official Gazette 18/94) provides that the Italian and Hungarian national minorities appoint one member each to the Council, which is the managing body of RTV Slovenia. This Council appoints programme councils for nationality programmes. Programmes for both national minorities are carried out by the regional RTV Centre Koper - Capodistria and the regional RTV Centre Maribor. Through the Office for Nationalities, Slovenia co-finances publishing activities and radio and television programmes for the Roma and for both national minorities.

78. On the basis of the Radio and Television Act, Slovenia co-finances radio and TV programmes intended for the Italian and Hungarian ethnic communities. Around 85 per cent of necessary resources are guaranteed from the budget of Slovenia for the financing of the Hungarian ethnic community weekly "Népújság". The remaining funds are acquired by the newspaper through subscriptions and advertising. Funds for the publishing activities of the Italian minority are guaranteed within the framework of funds for co-financing of joint institutions of the Italian ethnic community with their seat in Croatia, which also strive to meet the needs of Italians in Slovenia (Edit publishing house in Rijeka which publishes newspapers in the Italian language, the Italian Drama theatre in Rijeka and the Centre for Historical Research in Rovinj).

79. Radio programmes for the Roma community in the Romany and Slovene languages are intended to educate and inform the Roma and for the presentation of their culture, as well as informing the remaining population of their problems, thereby fostering tolerance and coexistence.[16] The association of Roma societies of Slovenia publishes a magazine "Romano them - Romany world", with contributions in the Slovene and Romany languages. The publishing of this newspaper is co-financed by the Ministry of Culture.

80. The procedures and mechanisms that guarantee members of the Italian and Hungarian ethnic communities direct participation in joint decision-making regarding all issues which concern life in local communities, notably in those decisions which specifically concern them, also contribute to coexistence. Modes of settling open issues and the mechanisms, that have evolved over several years complement legal guarantees on the protection of national minorities. The research has yielded the following results: "Inter-ethnic relations in the Slovene ethnic area" (by Dr. Albina Nečak Luk, Institute for Ethnic Studies in Ljubljana) confirms that the population in nationally mixed areas, regardless of their nationality, is aware of the positive elements of coexistence and regards them as an asset.[17]

D. Institutional possibilities

81. The Office of the Republic of Slovenia for Youth (functioning within the Ministry of Education), the Office for Nationalities, the Office for Immigration and Refugees and, partly, the Office for Religious Communities form the basis of State infrastructure in this field. The activities of the Ministry of Culture, Ministry of Education, Ministry of the Interior and Ministry of Labour, Family and Social Affairs in this field are mentioned in the relevant chapters outlining concrete activities.

Office of the Republic of Slovenia for Youth

82. The Office for Youth performs the tasks relating to comprehensive monitoring of the role and position of the young in the society, improvement of conditions for the organization of the young and their activities and their organizations, promoting the mobility of the young, encouraging extracurricular activities for the young and the implementation of other measures aimed at including the young in social processes. One of the successful activities of the Office for Youth was participation in the all-European "All different - all equal" initiative[18] (see comments under article 7).

83. The campaign known as "Afford being different" was designed to make an appeal to everyone to make efforts towards a more tolerant society and better mutual relations. It proposes the participation in numerous programmes of non-governmental organizations in Slovenia, actively dealing with these issues. On the basis of various studies, questionnaires and numerous public responses, the Office for Youth has demonstrably succeeded in appealing to many people - in particular the young. Never before was so much said and written in Slovenia about being different, about tolerance and the issues linked thereto, either in schools, organizations, the media or among the young at large, who are increasingly active.

Office for Nationalities

84. The activities of the Office for Nationalities relate to the autochthonous ethnic communities in Slovenia.[19] (Italian and Hungarian ethnic communities, the Roma). The Office for Nationalities has no special working bodies within its structure.

85. In compliance :the Gov rnment of Slovenia, it performs professional and organizational tas ent Comn ission for Ethnic Communities and for the Government Commis s. The fo lowing entities are participating in the Government Commis s:

(a) Repres istries and government agencies which, through their work, are involved wi ; Roma iss ues;

(b) Repres unicipalit es inhabited by the Roma;

(c) Repres ociation of Roma Societies of Slovenia.

86. The following ating in th e Government Commission for Ethnic Communities:

(a) Repres ents who e work also involves the status of ethnic communities;

(b) Repres urje Hun arian self-governing ethnic community and Italian self-governing n the coa t.

Both commissions are e been act ive since 1994.

87. In accordance v Office coo perates with all State authorities whose work concerns the field of th orities, w ith self-governing Italian and Hungarian ethnic communities an titutions, with the Association of Roma Societies of Slovenia and with Ron municip alities and other representatives of local authorities. The Office th researc h institutions that deal with research into the minorities and inter-etl ugh its activity, the Office maintains contacts with related institutions, par hbouring countries, and also participates in Alps-Adriatic projects Council of Europe relating to the protection of minorities.

Office for Immigration

88. The activities o nigration and Refugees comply with the Decree on the Establishment of the O on and Refugees (Official Gazette 77/92) and with the Law on Asylum (Offic The organizational structure of the employees is adapted to the situation sons with temporary refuge in Slovenia.

89. The Governmer lished the Office for Immigration and Refugees as an independent profession ree on establishment determined the tasks of the Office, which are as fol

(a) Monitor d refugee issues;

(b) Making proposals and initiatives for the settlement of immigration and refugee issues;

(c) Organizing collective centres for temporary refugees;

(d) Organizing medical control of temporary refugees, asylum-seekers, political refugees and other immigrants;

(e) Organizing repatriation of temporary refugees and displacement of political refugees and making proposals for treating immigrants and refugees and proposals for service standards in the Transit Home for Foreigners, asylum homes and collective centres;

(f) Drafting proposals for visa policy;

(g) Organizing information services for asylum-seekers, temporary refugees and immigrants;

(h) Issuing publications and other information materials;

(i) Organizing training for work with refugees and asylum-seekers;

(j) Dealing with complaints regarding refugee status.

90. In performing its assignments, the Office cooperates with the ministries and other administrative bodies and organizations of the Republic as well as international, national and foreign governmental and non-governmental organizations. The Office cooperates directly with the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international organizations dealing with immigration and refugee issues.

91. The Office comprises two departments: the Department for Refugees and the Department for Migration. To be able to accommodate persons with temporary refuge, the Office organizes collective centres which are, in accordance with the principle of local burden-sharing, organized throughout Slovenia. In 1993 there were over 30 collective centres, while today there still remain 10. The collective centres are gradually being closed as the number of refugees declines. Workers hired via public works are employed in these centres. The Office for Immigration and Refugees coordinates the activities of the collective centres.

Office for Religious Communities

92. Freedom of thought and conscience, the profession of religious and other beliefs of any person is guaranteed under the Constitution of the Republic (art. 41). The activities of the Office relate to religious communities that have already registered their activity in Slovenia. Slovenia does not secure funds for the activities of religious communities, since they are separated from the State. Regarding issues linked to religious communities, the Office for Religious Communities cooperates with all interested public and civil institutions as well as with all interested persons.

Human Rights Ombudsman

93 The Human Rights Ombudsman monitors the implementation of legal documents and national policies, as the highest body for lodging informal complaints in the State and as an independent and unbiased form of informal protection of individuals in relation to State authorities, local self-government authorities and bearers of public authority. The activities of the Human Rights Ombudsman are determined in the Human Rights Ombudsman Act (Official Gazettes 7/1993 and 15/1994) as well as in the Rules of Procedure of the Ombudsman (Official Gazette 63/95). Only a citizen of Slovenia may be elected as the Ombudsman (Human Rights Ombudsman Act, art. 11).

94 The Human Rights Ombudsman issues annual reports on the exercise of human rights in Slovenia, in which, along with dealing with individual cases, he also makes proposals for amendments to legislation. In the 1998 report, the Ombudsman concluded "that administrative and State authorities reacted positively to the inquiries by the Ombudsman". However, a list is given of those State and administrative authorities which did not respond to recommendations and proposals by the Ombudsman.[20]

95 Any person who believes that his/her human rights or fundamental freedoms have been violated by an act or deed of a body may lodge a petition with the Ombudsman to start the proceedings. The Ombudsman may also institute the proceedings on his own initiative. The procedure is free of charge (Human Rights Ombudsman Act, art. 9). The Rules of Procedure of the Ombudsman stipulate that the Ombudsman performs his work in the Slovene language (art. 2). Whoever does not master the Slovene language may lodge a petition in his/her own language. Article 38 of the Rules of Procedure determines the manner of resorting to extraordinary legal remedy for the protection of human rights. The Ombudsman may, under conditions provided by the law, lodge before the Constitutional Court a constitutional complaint with regard to an individual matter he is dealing with. The constitutional complaint is lodged with the consent of the person whose human rights or fundamental freedoms are protected in a specific case.

E. Ethnic structure - demographic indicators

96 The methodology for the conduct of census in the Republic of Slovenia lays down that censuses also include data on national identity, nationality, language and religion; in accordance with the constitutional provision, however, nobody is obliged to declare to which category he/she belongs. Data are collected and processed by the Statistical Office of the Republic of Slovenia. Data from population censuses are available to the public through publications, such as the Yearbook (annual reviews) and Statistical Data, in which the processed data are published and trends in individual fields are established.

97 Selected results and comparisons undertaken are shown in the chart[21] in the annexes to the present document. General indicators of economic trends at the level of the state are monitored and analysed by the Institute for Macroeconomic Analysis and Development.[22]

98. Most numerous among the "non-Slovenes", i.e., members of other ethnic, national, religious and linguistic groups (see graph 2) are the following:

- Members of nations and nationalities from other Republics and provinces of the former Yugoslavia, including:
- Croats (54,212),
- Serbs (47,911),
- Muslims (26,842)
- Members of the Italian national minority (3,064)
- Members of the Hungarian national minority (8,503)
- Roma (2,293)[23]

99. In accordance with guarantees given in the Constitution that nobody is obliged to state to which nation or nationality he/she belongs, in the 1991 census a larger number of persons answered in the categories:

- Undefined (9,011),
- Regionally defined (5,254),
- Defined as "Yugoslav" (12,307)[24]

100. Among the demographic indicators of the general structure of the population, data given in this chapter relate to the nationality and religious affiliation of the permanent population of Slovenia, to religions represented in Slovenia and to the territorial dispersion of individual ethnic, national, religious and linguistic groups.

101. Data are also given below on the completed education of the active population of different ethnic origins, since they are of crucial importance for the actual situation and the specific traits of individual groups; and on the number of nationally-mixed marriages or extramarital relations between the members of individual groups, as the most direct data on the level of coexistence with regard to inter-ethnic relations in Slovenia.

102. Data on the national and religious affiliation of the population with permanent residence in the Republic of Slovenia show that:

- The Catholic religion is most strongly represented (1,403,014, comprising 1,334,150 Slovenes, 45,226 Croats, 6,959 Hungarians and 2,322 Italians)

- Followed by Orthodox (46,819, comprising 34,304 Serbs, 2,580 Macedonians and 1,474 Montenegrins)

- Islam (29,719, comprising 20,609 Muslims and 2,422 Albanians)

- Atheists (85,485, comprising 75,836 Slovenes, 3,034 Serbs and 1,626 Croats).

- 82,837 persons did not wish to answer the question on his/her religious belief.

103 The data on population according to nationality in municipalities confirm the premise that the majority of immigrants live in urban centres (Ljubljana, Maribor, Celje, Koper, Novo mesto) and industrial centres (e.g. Jesenice, where the total population amounts to 31,939, including 23,454 Slovenes, and Velenje where the total population amounts to 42,674, including 33,659 Slovenes).

104 The Hungarian ethnic community lives predominantly in Prekmurje, along the border with Hungary, in the municipalities of Lendava and Murska Sobota; the Italian ethnic community along the coast, in the municipalities of Koper, Izola and Piran. The largest number of Roma live in the area of the Murska Sobota municipality (Pušča settlement) and the surroundings of Novo mesto. Roma who immigrated from other parts of the former Yugoslavia predominantly live in Maribor and Velenje.

105 The data on education show that, among persons without complete education (incomplete elementary school), the majority are Muslims (of the 15,011 employed persons, 218 have no education, 179 completed only grades 1 to 3 of elementary school, 2,193 completed 4 grades of elementary school, 1,409 completed grades 5 to 7 of elementary school) and Serbs (of the 28,314 employed persons, 222 have no education, 212 have only grades 1 to 3 of elementary school, 2,555 have only 4 grades of elementary school, 2,059 have grades 5 to 7 of elementary school).

106 A comparison between both groups shows essential differences regarding data on junior college and higher education. One hundred and ninety Muslims have junior college education and 187 higher education. With respect to Serbs the percentage is considerably higher, since 947 Serbs have junior college and 1,575 higher education. These data prove that, even within individual groups, there is great variety and diversity, which contributes to the enrichment of life in Slovenia and to the elimination of stereotypes regarding individual groups.

107 A high level of coexistence in nationally mixed areas and in some cases a long-lasting life in a common state is reflected in numerous nationally mixed marriages. Chart 4: Families according to nationality of wife-husband, mother-father reflect that Slovene women and men have spouses and (extra marital) partners in all of the above national groups.

F. Refugees and persons with temporary refuge in Slovenia

108 After 1991, a large number of refugees[25] fled to Slovenia as a result of armed conflict in the territory of the former Yugoslavia, particularly Bosnia and Herzegovina and Kosovo. Their number varied with respect to the situation in their countries of origin.[26]

109. At the end of 1999, approximately 4,400 persons with temporary refuge lived in Slovenia: 3,150 citizens of Bosnia and Herzegovina, and 1,250 citizens of the Federal Republic of Yugoslavia from Kosovo. Approximately 1,600 lived in refugee centres; the rest were on their own or were staying with relatives and acquaintances. Among persons with temporary refuge, children of school age and persons older than 65 years prevail.

110. Persons with temporary refuge may also apply for other forms of residence in Slovenia, i.e. either for asylum or for a temporary residence permit. To date, around 4,150 refugees have obtained temporary or permanent residence permits. About 330 persons have acquired citizenship.

Article 3

111. Slovenia joins the international condemnation of racial segregation and the policy of apartheid. The Penal Code stipulates that the acts of apartheid and genocide are criminal offences against humanity. The measures of the state policies in all fields (culture, education, employment) encourage knowledge about human rights and the awareness of their importance for the development of democracy in each individual country.

Article 4

A. Statutory regulation and the incrimination of such acts

112. The review of constitutional and statutory regulation in Slovenia (see introduction and report under article 2), which is important for the exercise of human rights, equality and protection of individual groups, comprises legislation referring to the exercise of human rights and to the functioning of the political system in general (see report under article 5), to the situation of ethnic communities and the Roma, to the situation of immigrants, refugees and foreigners (see report under articles 2 and 5). Under this article, some results of the research concerning the level and importance of coexistence in practice will be indicated.

113. The functioning of the political system provides for the division of power into the legislative, the executive and the judiciary, respect for legality and for the State governed by the rule of law and the mechanisms of indirect and direct decision-making and co-decision-making of citizens and all people as the basis of modern democracy. These mechanisms also ensure institutional possibilities for control over the exercise of power (e.g. the Human Rights Ombudsman) and, for the individual, the possibility of an appeal and participation in the activities of different non-governmental organizations and associations.

114. In addition to legislative measures in the context of "positive discrimination" and the protection of individual groups, the legal order of Slovenia also stipulates criminal sanctions in case of violation of individual rights. The violation of equality and the stirring up of ethnic, racial or religious hatred, strife or intolerance shall be sanctioned as criminal offences according to the Penal Code (art. 141, Violation of the right to equality, and art. 300, Stirring up ethnic, racial or religious hatred, strife or intolerance). The Act on the Legal Status of the Religious Communities (Official Gazettes 15/76, 42/86 and 22/91) contains a prohibition against stirring up or inciting religious intolerance, hatred or strife (art. 5/2).

B. Opinions and the results of researches

115. In Slovenia, one cannot speak about intolerance in general or about intolerance against minority, ethnic, religious or cultural communities, since relations among the population show a high level of coexistence and understanding for the specific problems of minorities and other vulnerable groups. The reports and assessments of international organizations and institutions (Council of Europe at the time of Slovenia's admission, European Commission against Racism and Intolerance in discussing the report on Slovenia, European Union in Agenda 2000), on the level of the protection of human rights are favourable for Slovenia regarding respect for human rights and level of democracy.

116. This positive assessment of the level of coexistence and tolerance as generally accepted values is confirmed by the results of the surveys conducted in Slovenia (e.g. Slovene public opinion polls and surveys of the research and scientific institutions).

117. Most important for the future are the moral values of the youth. The study on "Youth in Slovenia, the analysis of the situation in Slovenia",[27] which is considered as the national report for Slovenia within the framework of the activities of the Council of Europe for Youth, demonstrates that the youth is in favour of statements that show openness towards other nations and cultures. They do not endorse the ideas, that refer to national narrow-mindedness and exclusiveness.

C. Coexistence - the aim of ethnic policy in theory and practice

118. Negative phenomena are occasionally witnessed, particularly when opposing the settlement of the Roma in certain communities.

119. The regulation of Romany status and the adoption of a special Romany Act are necessary, as was pointed out by the Human Rights Ombudsman in his 1997 report. He believes that "the State should provide material aid and technical assistance to municipalities and encourage them to adopt regional plans, which would define areas in which the members of Romany communities could settle".

120. Under the Local Government Act, there are possibilities for the Roma to participate in decision-making at the level of local communities. In practice, special parity commissions have started working in the municipalities, trying to settle promptly all issues outstanding in the relations between the Roma and the majority population. This proves that promptly informing the population on the issues of minority communities, and encouraging the development of coexistence and tolerance are of significant importance. In solving the Romany issues, special attention should be paid to the elimination of causes leading to conflicts with the majority population.

121. It is evident from the practice of judicial and other State and public authorities in this field and from the cases dealt with by the Human Rights Ombudsman that there are only a few extreme "nationalistic or racial" criminal offences and violations, or none at all. Most initiatives for the elimination of violations refer to solving everyday difficulties, brought about by changing living conditions, which the law is still not sufficiently flexible to handle. Nevertheless, in the

years after independence, the process of the adoption of and amendments to legislation succeeded in bridging the widest gaps in this field. Legal protection and procedures for the elimination of violations are supplemented by various activities aimed at raising awareness of the importance of respect for and knowledge of human rights, and call for preventive action before conflicts break out.

122. At the non-governmental level, there are several organizations and associations which, together with other representatives of civil society and individual governmental institutions, contribute to human rights awareness and greater tolerance among all people (see report under article 7 for a description of the functioning of non-governmental organizations).

123. According to the Ministry of the Interior of the Republic of Slovenia in its report within the framework of the international project of the Interparliamentary Council on the elimination of antisemitism entitled "Antisemitism on the Internet: A Legal Analysis and Proposals for Action", the Ministry is endeavouring to fight against racism on the Internet. The report established that "in Slovenia, xenophobic texts express above all hatred towards the Roma, refugees and nationals of other States of the former Yugoslavia. In Slovene society, there is fairly strong anti-racism, both among the State institutions and in the civil society".

Article 5

A. Protection of individual human rights

124. The report under this article includes a review of the legislative system by individual civil and political, economic, social and cultural rights. Where possible, data on the implementation of legal provisions and their implementation in practice is indicated, particularly with regard to respect for the principles of equality and non-discrimination.

125. In principle, human rights are guaranteed to everyone.[28] For example, the right of access to any place intended for use by the general public - such as transport, hotels, restaurants, theatres and parks - is part of general culture and public order.[29] A special commission has been established by decree (Official Gazette 29/79) in the National Assembly on the policy of equal opportunity, dealing with the equal rights of men and women.

126. With respect to the Convention, a description is given of the provisions of the Constitution of Slovenia, the main features of the functioning of the political system and the regulation of human rights protection affecting the implementation of the Convention. Special mention is made of judicial protection and legal regulation of citizenship, the status of foreigners and relevant data in this field.

127. Individual fields of economic, social and cultural rights are by nature programme provisions reflecting the entire orientation of States in this field. The basic principle in guaranteeing these rights is non-discrimination and free access to the rights guaranteed, since Slovenia is a social State that protects vulnerable groups, i.e. children and the youth, women and the disabled. For example, the Health Services Act (Official Gazette 9/92, 13/93, 9/96) stipulates that public health service has to be organized in such a way as to guarantee medical aid to all citizens of Slovenia at all times (art. 6). Elementary, secondary and higher education is

free of charge; special forms of scholarships and subsidized student loans are provided and arranged for other forms of higher education. Individual government measures are included in the relevant chapters, e.g. on education and culture (art. 7).

128. The social rights of individuals, social groups or citizens are implemented particularly on the basis of the programmes and measures of social policy. Certain social rights, e.g. social rights of workers, are, however, granted by the constitutions and laws of individual European countries and also at the European level (e.g. European Social Charter). In this connection, the Constitution of Slovenia defines Slovenia as a social State, which means that the state guarantees social security (minimum level for existence and maintenance of relative social status) to workers and other population groups.

129. With its measures in the area of social policy, which are based on the values of security, freedom and solidarity, Slovenia guarantees income and services ensuring the social and economic security of individuals, as well as measures aimed at the social integration of special population groups (e.g. the disabled, Roma and refugees). By the year 2002, the measures encouraging professional rehabilitation, employment and professional integration of disabled persons in the field of active employment policy are to be carried out by the programme of training and employment of disabled persons. Specific programmes of preparation for employment apply to the Roma. According to the rules for the implementation of the active employment policy programmes, the Roma can receive vocational training or education. Furthermore, these rules state that the employment of the Roma may be facilitated by subsidizing their salaries. Programmes and services in the field of social security aimed at eliminating social hardships and difficulties enable individuals and population groups to be integrated into social networks.

130. In the field of human rights protection, the Constitution of Slovenia, inter alia, also guarantees civil and political rights and economic, social and cultural rights, namely:

- Equal human rights and fundamental freedoms for each individual irrespective of national origin, race, gender, language, religion, political or other beliefs, financial status, birth, education, social status or whatever other personal circumstance;

- Equality of all persons before the law (art. 14);

- Judicial protection of human rights and fundamental freedoms and the right to obtain redress for the abuse of such rights and freedoms (art. 15);

- The profession of religion and other beliefs in private and public life is free. No person shall be compelled to admit his/her religious or other beliefs (art. 41);

- Religious groups enjoy equal rights; they are guaranteed freedom of activity (art. 7);

- The right of assembly and peaceful gathering is guaranteed (art. 42);

- The right of asylum is guaranteed (art. 48);

- Each person is entitled to freely declare his/her national adherence, to foster and give expression to his culture and use his/her own language and script (art. 61);

- All incitement to ethnic, racial, religious or other discrimination or other expression of hatred and intolerance is unconstitutional. All incitement to violence or to war is unconstitutional (art. 63);

- The status and special rights of the Romany community living in Slovenia are regulated by a statute (art. 65);

- Autochthonous Italian and Hungarian ethnic communities in Slovenia are guaranteed special rights (art. 64) in the field of education and schooling, the right to use their national symbols, in the field of mass media and publishing, the right to establish organizations and to foster contacts with the wider Italian and Hungarian communities living outside Slovenia, and with Italy and Hungary, respectively.

131. In compliance with constitutional provisions, ratified international instruments are part of internal law. Laws and other regulations shall comply with the generally accepted principles of international law and shall accord with the international agreements binding on Slovenia (art. 8). The provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Cultural and Social Rights and of the Convention for the Protection of Human Rights and Fundamental Freedoms are part of internal legal order, and thus binding on the State as well as on all citizens.

132. The protection of civil, political, economic, cultural and social rights included in these documents shall be also guaranteed by the international control envisaged within the framework of the possibility of presenting petitions to the European Court and in the process of discussing the countries' report at the international level.[30]

133. The Citizenship Act of the Republic of Slovenia provides that Slovene citizenship is a right in the following instances:

- If the child's parents had citizenship of the Republic of Slovenia at the time of the child's birth, irrespective of their country of birth;

- If one of the parents had citizenship of the Republic of Slovenia at the time of the child's birth and the child was born in Slovenia, irrespective of whether the child was born in or out of wedlock;

- If one of the parents was a citizen of Slovenia at the time of the child's birth and the other was unknown, or of unknown citizenship or without citizenship, and the child was born in a foreign country;

- If the child was born abroad and one of the parents was a Slovene citizen at the time of the child's birth and he/she registered the child with the competent authorities before the child's eighteenth birthday. If the child is older than 14 years, the child's consent is required. The registration is unnecessary if the child would otherwise remain without citizenship, or if the child comes to live in Slovenia with the parent who is a citizen of the Republic of Slovenia before the child's eighteenth birthday;

- The same possibility applies for children older than 18 years if they personally apply for citizenship of the Republic of Slovenia prior to attaining the age of 23 years;

- An adoptee acquires Slovene citizenship by the declaration of the child's adoptive parents on the condition that at least one of the adoptive parents is a Slovene citizen and that the adoption is complete.

134. All children born or found in the territory of the Republic of Slovenia have the right to Slovene citizenship under the following conditions:

- The child is of unknown parentage;

- The child's parents have no citizenship;

- The child's parents are of unknown citizenship.

As already stated, all persons who already held citizenship of the Republic of Slovenia and the Socialist Federal Republic of Yugoslavia automatically de jure acquired citizenship of the Republic of Slovenia after the independence of Slovenia in accordance with regulations governing the acquisition of citizenship.

135. The right to association, to freedom of expression and to promote their interests covers the private and political levels. The right to assembly and to family life is also guaranteed to foreigners.

136. The right to join trade unions or form trade union associations in an individual work environment is one of the forms of guaranteeing the participation of workers. Individual branch trade unions are parties in the event of concluding collective agreements with the Government. Trade union representatives in an individual work environment represent the interests of workers in individual labour disputes. During the term of office of the trade union representative, he/she may not remain without a job nor be suspended.

137. The Political Parties Act (Official Gazette 62/94) defines parties as associations of citizens (art. 1). The right to establish a party is however not an absolute right. Article 3 stipulates that "in the Republic of Slovenia a party that incites violence, destruction of constitutional order or demands secession of any part of Slovenia, or intends to undertake or undertakes an anti-constitutional action is not allowed to register or act" (art. 3/3). A foreigner cannot become a member of a party, but can become an honorary member, if the statute of the

party envisages such a possibility (art. 7). The register of political parties is kept by the Ministry of the Interior (art. 10). Entry into the register of a political party shall be published in the Official Gazette (art. 12).

138. The right to vote shall be guaranteed to all citizens who have attained the age of 18 and have legal capacity. In the event of elections in their country, foreign citizens may vote in the territory of the Republic of Slovenia either in writing or at the diplomatic mission or consular post.

139. The right of association of individuals is guaranteed in the Societies Act (Official Gazette 60/95), which, in article 5, defines societies as "voluntary, independent, non-profit associations of physical persons with common interests". A foreigner may become a member of a society if this is provided in the articles of association (art. 6). The society may be founded by a group of no less than 10 citizens (art. 8).

140. The Act on the Legal Status of Religious Communities (Official Gazette 15/76, 42/86 and 22/91) derives from the Constitution, which guarantees equal rights of freedom of religion and religious communities and separation of the Church and State.[31] It comprises the prohibition against inciting or stirring up religious intolerance, hatred or strife (art. 5/2). The Higher Education Act (Official Gazette 67/93) and the Decree on the Restructuring of the University of Ljubljana solved the issue of the degrees of the Theological Faculty of the University of Ljubljana. The same applies to private secondary schools which carry out publicly recognized programmes initiated by religious communities.

141. The Act concerning Cemeteries, Undertaker Activities and Management of Cemeteries (Official Gazette 34/1984 and 26/90) stipulates that religious communities may, in accordance with the rules, exceptionally rest the deceased in another room until he/she is transferred to the premises intended for performing religious ceremonies (art. 7/3).

142. Judicial protection and proceedings before judicial authorities[32] are regulated by the Code of Civil Procedure, the Code of Criminal Procedure and the Administrative Procedure Act, which also include provisions on the right to appeal and on the use of extraordinary legal remedies.

143. The Redress of Wrongs Act (Official Gazette 59/96) regulates the issue of compensation for damage and the right of pension and disability insurance for former political prisoners (art. 1/1). This Act lays down specific conditions and procedures to modify final judgements (art. 1/2). Former political prisoners are political prisoners from the period between 15 May 1945 to 2 July 1990 (art. 2). Should the request for the revision of procedure be granted, the former convicts have the right to compensation for damage, rehabilitation and other rights stipulated by the Code of Criminal Procedure, articles 538-546.

144. The Code of Criminal Procedure (Official Gazette 63/94, 70/94 and 72/98) is particularly important for the protection of human rights since it deals with the restriction of the right to freedom of movement and freedom of the individual. Article 1 of the Code stipulates that the restriction of freedom is possible only under the conditions provided by that Code. A foreigner

who has been deprived of freedom shall have the right to file submissions in his language; in other cases however only on the conditions of reciprocity (art. 7/3).

145. An appeal is a regular legal remedy against the decision in first instance (art. 367), and an extraordinary legal remedy (art. 398) may be resorted to in exceptional cases against the decision in second instance, namely, reopening of criminal proceedings, extraordinary mitigation of punishment or a request for the protection of legality.

146. Procedure in civil matters is governed by the Code of Civil Procedure (Official Gazette 26/99). It stipulates that the procedure be held in the officially used language. Clients have the right to use their own language in accordance with the Code (art. 6). Clients have the right to appeal and to use extraordinary legal remedies (art. 333).

147. Ensuring legal protection in administrative procedures is of particular importance. The Administrative Disputes Act (Official Gazette 50/97) stipulates in article 1 that "the judicial protection of rights and legal interests of individuals, legal and other persons shall be guaranteed, in the event they may be holders of rights and obligations, against the decisions and acts of administrative or, in accordance with the law, of other State authorities, local community authorities and statutory authority in a manner and under the procedure provided by this Act".

148. Article 4 of the Act also guarantees judicial protection in the event when the administrative act has not been issued and served on him/her in the agreed term (i.e. failure to respond). The administrative court passes a decision in first instance. The appeal is lodged with the Supreme Court. Should the Act not stipulate otherwise, the Supreme Court decides on extraordinary legal remedies (art. 5).

149. Judicial protection in the event of violations in individual labour disputes is guaranteed by the Labour and Social Court. A worker can authorize a trade union representative to represent his/her interests in these disputes. The Penal Division of the Labour and Social Court consists of a judge and two jurors, of whom one is appointed by employers and the other by employees. In this way, the balance of interests in dealing with concrete cases is guaranteed.

150. Despite the guaranteed institutional possibilities, the main difficulty of judicial protection in the exercise of human rights is the lengthiness of procedures. In the 1998 report, while assessing the exercise of human rights, the Human Rights Ombudsman established that the backlog in judiciary and administrative procedures was the main impediment to the exercise of human rights in Slovenia.[33]

151. With regard to the right to own property and the right to inherit, the issue of property relations[34] has been one of the most difficult questions for the new State since independence. When abolishing State property and related property relations, a number of issues occurred which other countries in transition have also been facing. The Denationalization Act envisaged the forms of restitution of property in kind, cash refund or a combined model of restitution. With the amendments to the Denationalization Act and the 1998 decision of the Constitutional Court, the manner of protecting applicants' rights and the general interest has been improved by verifying the possibilities that the applicant may have already received compensation from another State, etc.

152. The regulation of restitution of property to foreigners and the issue of access of foreigners to purchasing property were particularly disputable. With the "Spanish compromise" and amendment to the Constitution of Slovenia, Slovenia consented to the possibility of purchase of property, under certain conditions (three-year permanent residence on the territory of the present Republic of Slovenia in accordance with the Denationalization Act[35]), for foreigners who are European Union citizens.

B. Citizenship of the Republic of Slovenia

153. The legislation on citizenship and on the status of foreigners and refugees regulates the rights in individual fields, such as procedures for acquiring citizenship, entering the country, being granted refugee status, employment, cultural participation, residence, receiving emergency medical aid, etc.

154. Following the expiry of the deadline under article 40 of the Citizenship Act of Slovenia, all foreigners living in Slovenia have to apply for Slovene citizenship under the conditions required for regular naturalization (art. 10 of the Citizenship Act) or for naturalization under alleviated conditions (art. 12, paragraphs 1 and 2, of the Citizenship Act). The applicants have to fulfil the conditions adopted by the legislators.[36]

155. The basic condition for naturalization is the stipulated length of residence in Slovenia (10 years). A foreigner has to live without interruption in Slovenia for at least five years prior to the application for citizenship. In addition to that, the following conditions must be fulfilled. The person concerned:

(a) Has to have an assured residence and permanent source of support in an amount which enables material and social security;

(b) May not have been sentenced for a prison term longer than one year;

(c) Has to submit a proof of release from current citizenship;

(d) Must demonstrate active knowledge of the Slovene language;

(e) Must have paid tax duties;

(f) Acceptance into citizenship of Slovenia may not present a threat to public order, security or defence of the State.

156. Minors may acquire citizenship of Slovenia (art. 14 of the Citizenship Act) under the following conditions:

(a) If the father and mother acquire citizenship of Slovenia through naturalization; a child under the age of 18 also acquires Slovene citizenship upon their request;

(b) If one of the parents acquires citizenship of Slovenia through naturalization, a child under the age of 18 acquires it as well, if so requested by the parent and if the child lives with that parent in Slovenia.

157. A child without parents, or whose parents have lost their parental rights or their functional capability and who has lived in Slovenia since birth can acquire citizenship of Slovenia upon the request of a guardian who is a citizen of Slovenia and with whom the child lives. However, the national authority responsible for social welfare has to give its consent, thus proving that it considers the acceptance of the child into Slovene citizenship to be in the child's interest.[37] If a child is older than 14 years, citizenship under the above paragraph may be acquired only with the child's consent.

158. In the event of adoption in which the obtained relationship between the adoptive parents and the adoptee is not the same as the relationship between parents and children, an adoptee who is younger than 18 years may acquire citizenship of Slovenia on the request of the adoptive parents, provided that the child permanently lives with the adoptive parents in Slovenia.

C. Regulation of the status of foreigners, refugees and asylum-seekers

159. The Aliens Act, the Act Regulating the Legal Status of the Citizens of the Former Yugoslavia Living in the Republic of Slovenia and the Law on Asylum were adopted after extensive preparations in July 1999.

160. The Aliens Act (Official Gazette 61/99) stipulates that a foreigner is any person who does not hold Slovene citizenship. The rights introduced by the new legislation substantively extend the majority of privileges, which in the former system applied only to certain groups (e.g. to Slovenes without citizenship), to all foreigners.

161. The Act Regulating the Legal Status of the Citizens of Other States Successors to the Former Socialist Federal Republic of Yugoslavia in the Republic of Slovenia (Official Gazette 61/99) stipulates that the citizens of other successor States to the former Socialist Federal Republic of Yugoslavia who on 23 December 1990 had permanent residence in the territory of Slovenia may acquire a permanent residence permit, which also grants legal status to enjoy general rights. In this way, all persons who did not file an application for Slovene citizenship or filed too late may acquire a permanent residence permit under article 40 of the Citizenship Act of Slovenia.[38] The application for a permanent residence permit has to be filed at least three months after the entry into force of the Act Regulating the Legal Status of the Citizens of Other States Successors to the Former Socialist Federal Republic of Yugoslavia in the Republic of Slovenia. Since the implementation of the Act and publicizing it are very demanding, the Act entered into force only at the end of September 1999. The permit will not be issued to persons who have been sentenced several times for violent offences against public order or who have been sentenced to at least one year of prison.

162. According to the Law on Asylum (Official Gazette 61/99), foreigners who request protection on the grounds stipulated in the Geneva Convention relating to Status of Refugees and its Protocol and article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms have the right to asylum. Article 2 of the Law stipulates that asylum is

the protection granted to foreigners in Slovenia. The Law includes the right to stay in Slovenia, the rights granted to refugees under the Geneva Convention and the rights guaranteed in this law.

163. The authorities of Slovenia are bound to cooperate with the United Nations High Commissioner for Refugees. They have to report on a regular basis to UNHCR on the refugee situation, on the application and implementation of the Geneva Convention and other international documents concerning refugees and laws, regulations and other general legal acts and to inform UNHCR of any asylum application submitted and enable UNHCR to contact the applicant and to make comments (art. 10).

164. A foreigner has the right to an interpreter and the right to be offered help by refugee counsellors (art. 16). Slovenia provides assistance in integration into the cultural, economic and social life. This assistance includes, in particular, the organization of Slovene language courses, further education and information for refugees about Slovene history, culture and the Constitution (art. 19).

165. An applicant may file an appeal against a decision by the Ministry of the Interior with the Administrative Court (art. 20/3).

166. The limitation of movement is allowed only if it is necessary for establishing identity or preventing the spread of contagious diseases. A complaint to the Administrative Court, which has to give a reply in three days (art. 27), is possible.

167. The rights of asylum-seekers until the procedure has been finally closed include the right to residence, the provision of basic living conditions, basic health care, financial assistance or allowance, free legal assistance for the implementation of rights pursuant to this law and humanitarian aid (art. 43). The scope of the rights is the same as for persons with temporary refuge (art. 46/2).

168. The rights of refugees who have recognized refugee status are the rights to permanent residence, financial assistance, basic housing, health care, education and schooling, assistance in their integration into the environment, the right to work and inclusion in programmes for active work searches (art. 47). A refugee without income, property and guarantors obliged to and capable of providing for the refugee in accordance with the provisions of the law of Slovenia has a right to social assistance according to the Social Security Act. This right applies as long as a refugee has no income, for a maximum of three years. Family members also have a right to social assistance (art. 50 of the Law on Asylum).

169. A final decision by which refugee status is recognized to an asylum-seeker is valid as a permit for permanent residence in Slovenia (art. 49). Refugees and their close family members are granted equal rights to those of Slovene citizens with regard to schooling and education (art. 53). Based on a final decision on granting asylum, the National Employment Office issues personal work permits to refugees and their close family members (art. 54/2).

170. An applicant whose application has been rejected may remain in Slovenia for six months. During that period he/she has the right to health care, basic living conditions and legal assistance (arts. 61 and 62).

Article 6

A. Measures for the prevention of provoking and committing acts of racial discrimination

171. As far as violations of articles 141 and 300 of the Penal Code are concerned, there were no cases in judicial practice after 1991 which had to be dealt with and closed in proceedings before the courts. This proves a high level of tolerance and respect for human rights. At the same time it also demonstrates that for the settlement of sensitive interpersonal relations preventive action and awareness-raising are of the utmost importance; in the event of conflicts, mechanisms for settlement and counselling may be used.

B. Examples of violations in practice

1. Cases dealt with by the Ministry of the Interior

172. It is evident from the contribution of the Ministry of the Interior that since 1991 only four cases were reported under the above articles.

Article 134/2 of the Penal Code

173. In 1991, two suspects were propagating ideas about Greater Serbia and insulted members of other nations. They designated Slovenes "as wretches and servants" and denied the existence of the Muslims as a nation. By their conduct, they incited the feelings of threat and vengefulness in members of other nations.

174. In 1992 the report was dismissed on the grounds of lack of evidence.

Article 134/1 of the Penal Code

175. In 1994, a non-Slovene citizen filed a complaint with the Constitutional Court on the grounds of his losing a job. In his opinion, this was the fault of the Slovenes, therefore he "would be glad to participate in their extermination". He was reported to have stirred up hatred against the Slovenes.

176. In 1997 the report was dismissed by the Prosecutor's Office on the grounds of negligible social risk.

Article 300/1 and 2 of the Penal Code

177. In 1995, unknown perpetrators wrote various graffiti with Nazi content, such as "Ausländer raus" and "Juden raus" and drew a swastika on a memorial stone in the Podljubelj concentration camp, on which messages by concentration camp prisoners had been engraved in different languages.

178. A report against an unknown perpetrator was filed, the perpetrator, however, was not traced.

Article 300/1 of the Penal Code

179. In 1998, the suspect started collecting signatures in favour of the prevention of the settlement of a Romany family in his neighbourhood. At various meetings he warned other villagers about "the risks posed by the Gypsies in the village" and stirred up intolerance against the Roma in the village.

180. The report is being processed by the Prosecutor's Office.

2. Cases dealt with by the Human Rights Ombudsman

181. Individual cases were dealt with by the Human Rights Ombudsman. In 1996, the Ombudsman[39] launched an initiative for regulating and unifying the practice of writing surnames ending in "ić" or "ič". The procedure was initiated by a petitioner married to a Croatian national, whose surname in certain documents was written with the ending "ić" and in the others with the ending "ič". She was therefore instructed to initiate the procedure for the modification of documents and unification of the ending.

182. In reply to the Ombudsman's letter, the Bureau for Internal Administrative Affairs of the Ministry of the Interior clarified that the issue of the correction of surnames ending in "ić" or "ič" had become topical at the time of Slovenia's independence when regulating the status of nationals from other States that emerged on the territory of the former Yugoslavia. It was then established that many persons born or married in Slovenia after 1945 were entered in official records (in the Register of Births, Marriages and Deaths and in the Permanent Population Register), with their surnames ending in "ič" and not in "ić". Since these errors were due to mistakes made by officials, who had not checked prior to the entry what was the correct form of the surnames, the mistakes began to be corrected in compliance with the Register of Births, Marriages and Deaths Act, by modifying, ex officio, the surname to its original form.[40] Persons who wish to continue using the ending "ič" may request such modification by making a Statement or filing an application. In order to be issued with a decision, the applicant has to cover only the costs of stamp duty.

183. In 1997, the Ombudsman dealt with the initiative concerning convicts who were non-Slovene citizens serving their prison sentence in Slovenia and who believed that they were discriminated against.[41] The provisions on the enforcement of criminal sanctions in the Penal Code do not differentiate between convicts who are Slovene citizens and those who are not. The petitions by convicts draw attention to the difference in treatment, not so much with regard to obligations or duties as with regard to rights or benefits stipulated in the Act in the event of good conduct, efforts and success at work. The Ombudsman established that the lack of uniform treatment of convicts who are not Slovene citizens constitutes a violation of the law. Many complaints were made on account of discrimination when granting conditional release and benefits outside the institution. On the Ombudsman's initiative, the Ministry of Justice clarified that, at least in the recent period, convicts without Slovene citizenship have not been discriminated against. The published data confirm this Statement, since the Commission for Conditional Release in 1997 released 29 convicts who were not Slovene citizens, or 12.1 per cent of all conditional releases, which approximately corresponds to the number of convicts who were not Slovene citizens.[42]

184. The Prison Administration clarified that convicted foreigners were not deprived of benefits granted within the institution (e.g. special rewards, frequent receipt of parcels, longer visits without supervision). This, however, does not refer entirely to the benefits outside the institution, particularly due to the danger of escape. In granting these benefits, penal institutions take into account, in compliance with the Ombudsman's recommendation, all concrete circumstances and the convict's character.

185. In his activities, the Ombudsman dealt with several cases of inappropriate treatment of foreigners, in particular nationals of the States that emerged on the territory of the former Yugoslavia who resided in Slovenia but did not acquire Slovene citizenship.[43] These cases include the case of a petitioner[44] who turned to the Ombudsman due to her difficulty in acquiring a permanent residence permit for herself and her minor daughter. In 1990, she married a Slovene citizen and she has been living in Slovenia ever since on the basis of a temporary residence permit or work permit. On account of the behaviour of her (now former) husband, a short discontinuation in her stay in Slovenia occurred, in 1992 for five days and in 1996 for four days. The Ombudsman proposed that in issuing the decision, the Ministry should consider all circumstances, particularly the facts that the petitioner was employed in Slovenia, that she had a minor daughter and that her stay in Slovenia was discontinued for a short period of time. Despite the above facts, the Ministry issued a negative decision in the administrative procedure because the applicant did not fulfil the condition of eight-year continuous residence in Slovenia.

186. Such and similar cases are now governed by a new Act adopted in July 1999, which no longer sets the condition of continuous residence for nationals from the States successors to the former Yugoslavia. The legislation has been changed on the initiative of the Ombudsman and of non-governmental organizations, particularly considering the Helsinki Monitor's advisory warning, as well as the counselling of international institutions.

187. Anyone who is a victim of racial discrimination may institute proceedings for judicial protection. Legal protection guaranteed by internal legislation and international documents adopted protect each individual from such acts and provide for criminal sanctions against the perpetrators and the elimination of the consequences of such violations. In the event of an offence, the victim as a damaged party may institute civil proceedings for awarding damages.

Article 7

A. Promotional and preventive activities

1. Schooling and education

188. Legal protection and procedures for the elimination of violations are complemented by various activities the purpose of raising awareness about the importance of the respect for and knowledge of human rights, particularly in the fields of education of minorities, the Roma, refugees and migrants; getting to know each other; participating in cultural activities; access to information; and the activities of non-governmental organizations.

189. Human rights education is part of the compulsory programme in elementary and secondary schools.[45] Within the framework of the compulsory part of the elementary school

curricula, this dimension is included in social science subjects - in lower grades (first to fourth) - natural and social sciences; in higher grades (fifth to eighth) history, geography, ethics and society. In grammar school, this dimension is dealt with by the subjects of history, sociology and philosophy, and in vocational and professional education by social sciences. Every pupil also has to attend classes (elective courses) in social system (16-35 hours depending on the type of school) and in the subject "Education for family, peace and non-violence".

190. On the occasion of world Human Rights Day in 1998, the Information and Documentation Centre of the Council of Europe in Slovenia and the Office of the Republic of Slovenia for Youth issued a manual "School and Human Rights", which contains chapters on the development of human rights education in Slovene schools and classes and education in human rights within the subject "ethics and society", in establishing humane interpersonal relations between individuals and communities.

191. In bilingual kindergartens and schools in the nationally mixed area in Prekmurje, all children from this area, regardless of their nationality, are educated in the Slovene and Hungarian languages.[46] The classes are held in both languages; in learning their mother tongue and their second language, the students are divided into two groups, since the requirements for mother tongue classes are more demanding. After completing elementary school, students may continue their education at the bilingual secondary school in Lendava[47]. In the event that they wish to continue to learn the Hungarian language at any of the secondary schools with Slovene as the teaching language, the possibility of their studying the mother tongue is guaranteed.

192. The Italian language is a compulsory subject in nationally mixed areas on the coast in all schools with Slovene as the teaching language, and the Slovene language is a compulsory subject in all schools with Italian as the teaching language. There are complete eight-year elementary schools in the municipalities of Izola, Koper and Piran. In smaller settlements there are subsidiary schools for students from the first to the fourth grade.[48] In this area, there are also kindergartens with the Italian language as the language of communication. In the nationally mixed area, there are three secondary schools with Italian as the teaching language, two grammar schools and a secondary technical school.[49]

193. The fields of education and training in the language of the Italian minority or of bilingual education (Slovene and Hungarian) are governed by acts relating to individual educational levels and the Law on Exercising Special Rights of the Members of Italian and Hungarian Ethnic Communities in the fields of Education and Training (Official Gazette 12/82).

194. The funds for subsidizing textbooks and teaching aids required for carrying out programmes for the two ethnic communities and for the Roma are secured from the State budget. A portion of the investments is covered by the local communities funds.

195. Regulations in the fields of education and training take into account the specific needs of Romany children, therefore, size regulation is necessary for Romany classes or for classes in which Romany children are included. In the school-year 1998/99, 1,067 Romany children attended 58 elementary schools in 24 municipalities in Slovenia. One hundred and forty nine students attended schools providing special curricula for children with special needs, and 259 children attended such kindergartens.[50] In the school-year 1998/99, the Ministry of Education

remitted 1,000 tolars monthly for each Romany student as assistance in covering the costs of monthly school requisites, transport and entrance fees for cultural activities, days of natural science activities and sports days. Schools provide textbooks for Romany children from textbook holdings.

196. Children who are foreign nationals or stateless persons residing in Slovenia have, in compliance with article 10 of the Elementary School Act, the right to compulsory elementary education under the same conditions as citizens of Slovenia. Classes in their mother tongue and culture are organized for these children in compliance with international agreements[51].

197. According to the data of the Ministry of Education of the Republic of Slovenia, the number of refugee schoolchildren in Slovenia is as follows:

(a) from Bosnia and Herzegovina:

- 528 refugee children in 126 elementary schools (49 per cent of these children reside in collective centres)
- 72 secondary school students
- 162 students in three-year vocational programmes
- 80 higher education students

(b) From Kosovo:

- 167 children in 61 elementary schools
- Classes for 23 children were organized at the Vidonci collective centre.

According to the assessment of the Ministry of Education, 339 children from Kosovo are expected to attend Slovene schools in the next school year.

198. The Ministry of Education of Slovenia makes the necessary arrangements for all children to undergo a medical examination and to start learning Slovene (also in summer schools). The Ministry of Education organized summer schools for refugee children from Kosovo, at which children learn Slovene and their mother tongue twice a week; children in higher grades also have one English lesson per week.

199. All refugee children are provided with textbooks and their teachers are additionally trained to work with them. The Ministry of Education has also provided for suitable equipment for collective centres for refugees.

200. Journalists of the newspaper Delo (the most widely-circulated daily in Slovenia) asked the principals of elementary schools in Slovenia to describe their activities at the outbreak of war in the Federal Republic of Yugoslavia. The most frequent replies were that elementary school teachers in Slovenia, in the course of lessons in different subjects and of extra-curricular

activities (ethics and society, history, Slovene language, UNESCO clubs, humanitarian optional and compulsory activities, etc.) acquainted students with the basic data and tried to explain to them the reasons for the outbreak of war. They all asserted that there were no hostile tensions between Slovene students and those with Albanian, Bosnian or Serbian parents. All schools expressed their willingness to receive refugee children from the Federal Republic of Yugoslavia (Serbia, Kosovo and from elsewhere), who had already arrived or would arrive in Slovenia.

201. Additional forms of training have been organized for civil servants in State and public administration in Slovenia (conferences, seminars), at which they are acquainted with the importance of the protection of human rights, equality and coexistence.

202 The Ministry of Justice Prison Administration, provided all penal institutions with translated texts of international conventions relating to the treatment of persons deprived of liberty. The personnel newly employed in such institutions have to become familiarized with the above conventions, since after they are employed they are required to pass an examination covering the above conventions.

2. Culture

203. A special programme of the Ministry of Culture in this field was introduced as early as the 1970s, and it was expanded in the 1990s to cover new types of national minorities. The programme initially covered only the cultural creativity of ethnic communities. In 1992, the Roma were included in this programme, and in 1993 immigrants and autochthonous Kočevje Germans. The Jewish community was first included in the 1999 programme.

204. Three special programmes are financed within the Ministry, relating to the preservation and development of the culture and identity of ethnic communities, Romany communities and other minority ethnic communities and immigrants. These activities are being co-financed mainly by local communities and various sponsors. The programmes (together with applications that were not granted or programmes and projects that have not been approved) are published in a special publication of the Ministry of Culture on an annual basis.

205. Projects and programmes of the following communities were approved for 1999 in the "Immigrants"[52] programme:

- The Bosniak Cultural Union of Slovenia,
- The Union of Croatian Associations in Slovenia,
- The Macedonian Cultural Associations in Slovenia, .
- The Association of the Serbian Community.

Within the framework of proposals of the Union of Cultural Associations of Slovenia funds were also allocated to the Arabic Club in Slovenia.

206. The Federation of Cultural Organizations of Slovenia encourages, as part of its regular activities, the creativity of all individuals who are temporarily or permanently residing in Slovenia. The invitation to the national competition for members of all nationalities and ethnic communities living in Slovenia is addressed to all authors writing in their mother tongue.

3. Activities of non-governmental organizations

207. The United Nations Association of Slovenia publishes Slovene translations of international documents in the field of human rights[53] and it awards special prizes (the so-called "Zore prizes") for the best diploma papers in the field of human rights. The Information and Documentation Centre of the Council of Europe publishes the documents of the Council of Europe in Slovene and organizes round tables and discussions on individual issues. The Women's Policy Office of Slovenia published in 1992 "A Guide to my Rights". The Slovene Committee for UNICEF organized a number of activities relating to the Convention on the Rights of the Child (translation of the Convention on the Rights of the Child, promotion and analysis of the implementation of the Convention). Several ministries (Ministry of Labour, Family and Social Affairs, Ministry of Education and Sport and Ministry of the Interior) have also been active in this field.

208. In order to mark the Human Rights Day on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, the text of the Universal Declaration was published in the newspaper Delo in Slovene, and the Human Rights Ombudsman prepared, to mark the occasion, a special folder entitled "Human Rights - Your and My Freedom".

209. Slovenia is actively participating in the programmes and projects of UNESCO, the Council of Europe, OSCE and other international organizations advocating the elimination of discrimination and prejudices. The UNESCO School in Piran is also active in this field. Within the framework of the activities of the Council of Europe in the "All different - all equal" project, numerous events and activities were organized. The Office of the Republic of Slovenia for Youth, the Association of Student's Hostels and the Information and Documentation Centre of the Council of Europe in Slovenia arranged for the Slovene translation of the "Education and Training Manual" for informal intercultural education and training.

210. The "Slovene Philantrophy Association" deals with psycho-social assistance to refugees, while the Voluntary Work Association "MOST" prepares special programmes of assistance to the Roma. The Open Society Institute of Slovenia, as part of the diversified international network within the Soros Foundation, provides financial support to individual projects assisting the most vulnerable groups, including the Roma and refugees living in Slovenia. A non-governmental organization, the Helsinki Monitor, draws attention to violations and has through its proposals and advisory warnings actively contributed to the adoption of suitable legislation for regulating the status of nationals from other States successors to the former Socialist Federal Republic of Yugoslavia who did not acquire citizenship of the Republic of Slovenia.

211. The above-mentioned institutions and associations together with other representatives of the civil society and with individual government institutions contribute to better knowledge of human rights and greater tolerance among people.

Notes

[1] See annexes for the text of the Constitution.

[2] See annexes for the publications of the Institute of Macroeconomc Analysis and Development.

[3] See annexes, National minorities in Slovenia, Statistical Yearbook of the Republic of Slovenia for the year 1991, p. 8.

[4] See annexes, implementation of the Framework Convention for the Protection of National Minorities.

[5] See annexes, Basic Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia.

[6] According to the criteria adopted by the Executive Council of the Republic of Slovenia (Government) for the implementation of article 40 of the Citizenship Act, all spouses and children of Slovene citizens who were staying abroad were considered to be actually living in Slovenia, on the condition that they had been married to a Slovene citizen for at least five years, were employed or attended school in Slovenia, or had an apartment in Slovenia.

[7] Article 13 of the highest legal act adopted at the time of independence, i.e. the Constitutional Law on the Enforcement of the Constitutional Act on the Independence and Sovereignty of the Republic of Slovenia, stipulated that the citizens of the other republics of the former Socialist Federal Republic of Yugoslavia who had applied for Slovene citizenship in accordance with article 40 of the Citizenship Act had, until they obtained citizenship of the Republic of Slovenia, the same rights and obligations as citizens of the Republic of Slovenia. The only exception was the right to purchase immovable property.

[8] Some permanent residents of Slovenia, who, if they had wished to, might have acquired citizenship under article 40, did not use this possibility for various reasons. Following the legal deadline set in article 40 of the Citizenship Act, they could apply for Slovene citizenship on the basis of the regular conditions for naturalization applying to foreigners. In order to acquire citizenship these persons had - or still have - to fulfil all the conditions set by the Act.

[9] The text in English is published in the publication Ethnic Minorities in Slovenia, edited by Vera Klopčič and Janez Stergar, Institute for Ethnic Studies, Ljubljana, Slovenia, 1993 and 1994, p. 6.

[10] In Slovenia censuses were conducted every 10 years on the basis of a unique methodology for the entire territory of the former Socialist Federal Republic of Yugoslavia. The data include information on nationality, language and religion. In Slovenia, no persons are obliged to declare themselves as members of any of the above categories, in accordance with constitutional provisions. The data are collected and processed by the Statistical Office of the Republic of Slovenia, and published in publications such as the Statistical Yearbook (annual reviews) and Statistical Information.

[11] In 1999, Slovenia co-financed the activities of joint institutions of the Italian ethnic community in the amount of 29,370,000 tolars.

[12] Treaty between the Socialist Federal Republic of Yugoslavia and the Italian Republic concluded on 10 November 1975. The Law on Ratification of the Osimo Agreement was published in the Official Gazette of the Socialist Federal Republic of Yugoslavia on 11 March 1977.

[13] This was the first bilateral document that was concluded after the signing of the Final Act of Helsinki in 1975 and which refers to the principles of the then Conference on Security and Cooperation in Europe, now OSCE.

[14] Signed on 6 November 1992, instruments of ratification were exchanged on 29 April 1994. The text in the English language was published in the supplement to the publication on "Ethnic minorities in Slovenia".

[15] The organizers were the Austrian Institute for East and South-east Europe, branch office Ljubljana, and the Institute for Ethnic Studies in Ljubljana.

[16] Co-financing of radio programmes for the Roma at local radio stations in Novo mesto and in Murska Sobota amounted in 1999 to 3,791,000 tolars.

[17] Results of the research were published in the special issue of Discussions and materials, No. 28, Ljubljana 1993.

[18] For further information on the activities of the Office and individual campaigns contact Internet site: http:/www.mss.edus.si/um/drugacni.html.

[19] Office for Nationalities guarantees to ethnic communities budgetary funds for the activities which are not financed from other budgetary sources. For instance, on the basis of the Self-Governing Ethnic Communities Act, it secures funds for the activities of the Italian self-governing ethnic community on the coast, and for the Pomurje Hungarian self-governing ethnic community. In 1999, 29,370,000 tolars were secured for this purpose. It also finances the activity of the Association of Roma Societies of Slovenia. In 1999, 961,000 tolars were secured to this end. Individual projects carried out by the Association of Roma Societies of Slovenia are financed from other sources: Ministry of Culture, Ministry of Labour, Family and Social Affairs, Office for Youth, local authorities and non-governmental organizations.

[20] 1998 Human Rights Ombudsman Report, p. 11.

[21] Charts and graphs used in this report were taken from the article by Miran Komac "Serb community in Slovenia", Discussions and material, No. 32, Ljubljana

[22]. The Institute for Macroeconomic Analysis and Development publishes annual reports in the bulletin Economic Mirror (Ekonomsko ogledalo), which contains data on economic and social trends. Reports are also available in the English language.

[23] According to other sources, the number of the Roma in Slovenia is considerably higher (7,000-10,000).

[24] Declaring or non-declaring oneself as "Yugoslav" in the sense of belonging to a nation has in theory been explained particularly as a "third option" in numerous nationally mixed marriages where children or parents wished to avoid declaring their nationality.

[25] According to data of the Office for Immigration and Refugees, the total number of refugees in Slovenia was 60,000 who fled from the areas in which armed conflicts were raging in the Balkans. Owing to emigration to other countries or returning to safe areas in their homelands, the number of persons with temporary refuge is decreasing. In 1993, 31,118 persons who sought temporary refuge were recorded, in 1994 the number dropped to 24,100; in December 1995 there were 18,806 persons with temporary refuge in Slovenia.

[26] Their number is not included in the data from the 1991 census; therefore data of the Office for Immigration and Refugees and of the Ministry of Education are used.

[27] The study was done at the request of and financed by the Youth Department at the Ministry of Education of the Republic of Slovenia; it was conducted by the researchers of the Centre for social psychology at the Faculty of Social Sciences in Ljubljana, under the guidance of Dr. Mirjana Nastran Ule. The results are published in the English language in the publication "Youth in Slovenia", Ljubljana, 1998, edited by Mirjana Ule and Tanja Rener.

[28] Individual rights relating to citizenship, e.g. in organizing political parties and the right to vote, involve differences stemming from legal status. Furthermore, rights relating to the status of a foreigner, asylum-seeker or refugee are described separately.

[29] Discrepancies may arise in accordance with the Border Control Act, which in article 22, authorizes the authority exerting control over State border crossings to prohibit or refuse to a foreigner entry into the State for reasons of public order.

[30] Information on the exercise of individual rights (non-discrimination, inherent right to life, survival and development, freedom of expression, name, nationality and parents' care, access to information, etc.) with reference to the implementation of the Convention on the Rights of the Child is included in the report of Slovenia on the implementation of that Convention, 1997.

[31] For the list of registered religious communities as of December 1999, see annexes.

[32] Courts exercise their duties independently. Judgements are issued "in the name of the people". Equality before the law and respect of legality shall be guaranteed.

[33] 1998 report of the Human Rights Ombudsman, pp. 10, 11.

[34] Article 67 of the Constitution stipulates: "The manner in which property is acquired and enjoyed shall be regulated by statute so as to ensure the economic, social and environmental benefit of such property. The manner in which property may be inherited, as well as the conditions under which it may be inherited, shall be determined by the statute".

[35] This field is governed by the Reciprocity Act (February 1999) and by the instructions on the method of establishing permanent residence of citizens of European Union member States in the present territory of the Republic of Slovenia (Official Gazette 4/99).

[36] Less restrictive conditions apply only to foreigners whose ancestors up to the third generation are of Slovene nationality (i.e. they do not have to submit a proof of release from current citizenship, nor do they have to reside in Slovenia for 10 years, but only for 1 year) and to persons married to a citizen of the Republic of Slovenia for at least two years (only the condition concerning the length of residence in Slovenia, i.e. one year, applies to these persons). A proof of release from current citizenship is not required only if the Government of Slovenia determines that dual citizenship is in the interest of Slovenia.

[37] On 9 February 1995, the Constitutional Court decided (Official Gazette 13-65/95) that this paragraph is not in accordance with the Constitution if it is interpreted in a way in which the conditions that the guardian is a citizen of Slovenia and that the child lives with the guardian do not refer to the cases when the duties of the guardian are carried out by the centre for social work or another legal entity.

[38] The Constitutional Court of Slovenia pointed to this problem in its decision of 4 February 1999, since the then applicable law on foreigners did not contain transitional provisions to regulate the status of persons who had not filed an application for Slovene citizenship under article 40 of the Citizenship Act of Slovenia or filed it too late.

[39] See 1996 Human Rights Ombudsman annual report, pp. 104-106.

[40] Note: the ending "ić" is typical of surnames originating in other States that emerged on the territory of the former Yugoslavia.

[41] 1997 Human Rights Ombudsman annual report, pp. 48-49.

[42] Ibid., p.49.

[43] The Ombudsman participated in drafting the Act concerning the status of persons from other States that emerged on the territory of the former Yugoslavia who are not Slovene citizens and are living in Slovenia.

[44] 1998 Human Rights Ombudsman annual report, p. 68.

[45] The purposes of education are laid down in the relevant legislation (Kindergarten Act, Elementary School Act, Grammar School Act, Vocational Education and Training Act and the Organization and Financing of Education and Training Act).

[46] In the year 1997/98, 1,122 students were enrolled in bilingual elementary schools in the municipalities of Lendava, Šalovci-Hodoš and Moravske toplice and 505 children attended bilingual kindergartens.

[47] The bilingual secondary school has four classes of grammar school programme, eight classes qualifying for the profession of a technician in the field of economics, four classes qualifying for the profession of a mechanical engineering technician, and three vocational classes in the field of metal working.

[48] Five hundred and twenty six children of Italian nationality attended elementary schools in this area in 1997/98, and 179 children attended kindergartens.

[49] In 1997/98, there were 67 students in 4 classes in Piran Grammar School, and 52 students in 4 classes in Koper Grammar School. In the school-year 1997/98 there were 200 students in 16 classes at the secondary technical and vocational school in Izola for the profession of technician in the field of economics and commerce, shop assistant, mechanical engineer and business administration technician.

[50] In the school-year 1998/99, 104 Romany children completed their schooling, i.e.:
4th grade 9 students
5th grade 7 students
6th grade 26 students
7th grade 24 students
8th grade 38 students
or a total of 104 Romany students, according to the data of the Ministry of Education.

[51] In 1997/98, the courses in the mother tongue were organized for pupils in the Macedonian, Albanian and Arabic languages.

[52] See also comments under article 2 concerning the activities of the Italian and Hungarian ethnic communities and the Roma.

[53] In 1995, the United Nations Association of Slovenia prepared the publication of the Slovene version of "Human Rights: a compilation of international instruments, Parts I and II" (Slovene translation of the major international instruments in the field of human rights). In 1991 the Association published a special issue of the publication "Lessons on Human Rights" within the framework of the World Campaign for Human Rights. In 1999 the Association published the "Declaration on Human Rights Defenders" in Slovene.

List of annexes

1. Ethnic Minorities in Slovenia, booklet of the Institute for Ethnic Studies in Ljubljana, published in October 1994

2. Population statistics and graphs on ethnic structure

3. Opinion on the application of the Republic of Slovenia for Membership of the Council of Europe, doc. 6823 of 5 May 1993

4. Report of the European Commission against Racism and Intolerance (ECRI) on Slovenia, 1997

5. Constitution of the Republic of Slovenia, 1995, with Amendment to article 68 of July 1997, Declaration of Independence, Basic Constitutional Charter, and Constitutional Law

6. Aliens Act, Act on the Settling of the Status of Citizens of Other Socialist Federal Republic of Yugoslavia Successor States in the Republic of Slovenia, Law on Asylum

7. Articles of the Constitution which refer to religious communities and religion and religious communities which hold juridical person status in Slovenia

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